IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1371 OF 2004

Wadala Bilco Co-op. Hsng. Soc. Ltd. ..Petitioner

Vs.

Municipal Corpn. of Greater Bombay
and Ors. ..Respondents

N.Toor i/b. Ms. Krishna Tanna for Petitioner
Mrs.N.V. Sanglikar for Respondents

CORAM: F.I. REBELLO &
S.P. KUKDAY, JJ.
DATE: 21ST MARCH, 2005.

P.C.

. The Petitioners are challenging the demand made of the year 1997 in the matter of rateable value. The Petitioners have already preferred an appeal.

. It is contended on behalf of the Petitioners that the demand made is without jurisdiction and subsequently this Court can entertain the Petition. There can be no dispute that a Writ Court can always exercise its extra ordinary jurisdiction in a fit and proper case. In the instant case the Petitioners came to the Court after nearly seven years and an appeal has already been preferred. Considering the above this will not be a fit case for this Court to entertain the Petition in the exercise of its extra ordinary jurisdiction. It

will be open to the Petitioners to pursue the appeal.

. With the above observations Petition stand disposed of. No order as to costs.

(F.I.REBELLO,J.)

(S.P. KUKDAY,J.)